

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

**MOUNTAIN VALLEY PIPELINE, LLC,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 5:23-cv-00625**

**MELINDA ANN TUHUS,**

**Defendant.**

**MOUNTAIN VALLEY PIPELINE, LLC,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 5:23-cv-00626**

**ROSE ZHENG ABRAMOFF,**

**Defendant.**

**PLAINTIFF'S MEMORANDUM OF SUPPLEMENTAL AUTHORITY  
IN RESPONSE TO DEFENDANTS' MOTION FOR ABSTENTION**

Mountain Valley Pipeline (“MVP”), pursuant to Fed. R. Civ. P. 15(d), provides notice to the Court of an opinion published by the Fourth Circuit Court of Appeals after the close of briefing on Defendants Motion to for Abstention on October 2, 2023, that constitutes binding legal authority that pertains to an issue pending before this Court.

Defendants filed a Motion to for Abstention on October 2, 2023, claiming the Court should abstain from hearing the instant case in light of ongoing state court proceedings. MVP, in its Response to Defendants’ Motion for Abstention, outlines the requirements for each of the five forms of abstention and argues Defendants cannot meet the necessary requirements. In its Reply, Defendants claim abstention is appropriate based on *Colorado River* abstention and that it could meet the requirements of abstention.

In support of its Response, MVP files this Notice to provide yet another case in support of its position. As noted in MVP's Response, abstention is an extreme remedy, one that is disfavored and should be used sparingly. Of particular importance, the cases counsel for Defendants so heavily relies on have been remanded for further proceedings because the court was either skeptical of the grant of abstention or outright rejects the same. *Moses H. Cone Mem. Hosp. v. Mercury Constr. Corp.*, 460 U.S. 1, 19 (1983) ("[a]pplying the *Colorado River* factors to this case, it is clear that there was no showing of the requisite exceptional circumstances to justify the District Court's stay."); *Chase Brexton Health Serv., Inc. v. Maryland*, 411 F.3d 457, 467 (4th Cir. 2005) ("[f]or all the reasons given, we conclude that the district court abused its discretion in staying the proceedings in this case under the *Colorado River* abstention doctrine."); *vonRosenberg v. Lawrence*, 849 F.3d 163, 169 (4th Cir. 2017) ("the state action will not resolve every claim at issue in the federal action. Neither Bishop vonRosenberg nor Bishop Lawrence is a party to the state action[]." "Thus, because the state and federal cases involve different parties and different claims, the district court abused its discretion under *Colorado River* by abstaining in favor of the state court proceedings.").

In the same vein, the Fourth Circuit, yet again, denied the abuse of this extreme remedy. *Sonda v. West Virginia Oil and Gas Conservation Commission*, concerns the State's recently enacted horizontal well unitization bill. 92 F.4th 213, 219 (4th Cir. 2024). Plaintiffs claim, *inter alia*, the law constitutes a taking of their property. Although the West Virginia Oil and Gas Conservation Commission filed a motion to dismiss on several grounds, including standing, the District Court *sua sponte* abstained from ruling. *Id.* at 215. Citing *Railroad Commission of Texas v. Pullman co.*, the District Court stayed the federal constitutional claims pending the outcome of a potential state court action. *Id.* The Fourth Circuit first determined that such a stay was

immediately appealable under *Moses H. Cone Mem. Hosp.*, and then addressed whether the District Court’s abstention was an abuse of discretion. *Id.* at 217–18. The Court held that “[t]he generally applicable rule is that a federal court, whose jurisdiction has been invoked, *must* exercise that jurisdiction and address the matter before it.” *Id.* at 219 (emphasis in original). Further holding that it was the “federal court’s strict duty” to exercise such jurisdiction and that this amounted to “a virtually unflagging obligation.” *Id.* (internal quotations omitted). Finally holding that “federal courts have no more right to decline the exercise of jurisdiction, which is given, than to usurp that which is not given.” *Id.* (internal quotations omitted). Ultimately, just as in *Chase Brexton Health Serv., Inc.* and *vonRosenberg*, the Fourth Circuit reversed the District Court’s decision and remanded for further proceedings.

As outlined in *vonRosenberg*, a parallel state court action is not, on its face, enough to warrant abstention—especially when the parties to the federal action are not the same as those in the state action. Of particular importance, the criminal cases on which the Defendants rely to support their Motion have, since briefing on this matter concluded, been resolved. The Defendants pleaded guilty to trespass. Attached as *Exhibit A* are the plea agreements. As a result, the criminal proceedings were dismissed. See *Exhibit B*, the Dismissal Orders of the Criminal Complaints. As a result, the only remaining State Court actions do not involve the same parties—the very reason *vonRosenberg* was remanded. As it stands, these cases involve different parties and different claims. The Fourth Circuit has made clear when federal jurisdiction is invoked, it is the strict duty of the federal court to exercise such jurisdiction.

**MOUNTAIN VALLEY PIPELINE, LLC**

**By Counsel**

*/s/ Timothy M. Miller*

Timothy M. Miller (WVSB #2564)  
Matthew S. Casto (WVSB #8174)  
Robert M. Stonestreet (WVSB # 9370)  
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[rstonestreet@babstcalland.com](mailto:rstonestreet@babstcalland.com)  
[jhicks@babstcalland.com](mailto:jhicks@babstcalland.com)  
[arogers@babstcalland.com](mailto:arogers@babstcalland.com)  
*Counsel for Plaintiff*

**IN THE UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

**MOUNTAIN VALLEY PIPELINE, LLC,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 5:23-cv-00625**

**MELINDA ANN TUHUS,**

**Defendant.**

**MOUNTAIN VALLEY PIPELINE, LLC,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 5:23-cv-00626**

**ROSE ZHENG ABRAMOFF,**

**Defendant.**

**CERTIFICATE OF SERVICE**

The undersigned, as counsel for Plaintiff Mountain Valley Pipeline, LLC hereby certifies that a true and correct copy of the foregoing **PLAINTIFF'S SUPPLEMENTAL AUTHORITY IN RESPONSE TO DEFENDANTS' MOTION FOR ABSTENTION** was filed this \_\_\_\_\_ day of May 2024, through this Court's CM/ECF system and that a copy was served on all parties.

William V. DePaulo, Esquire  
860 Court Street North, Suite 300  
Lewisburg, WV 24901  
*Counsel for Defendants*

/s/ Timothy M. Miller  
Timothy M. Miller (WVSB #2564)

# EXHIBIT A

## IN THE MAGISTRATE COURT OF

SUMMERS

COUNTY, WEST VIRGINIA

State of West Virginia

Case No. 23-M4SM-00533

v.

Melinda Tuhus  
Defendant (Full Name)XXX-XX-5833  
Social Security Number03 / 19 / 1948  
Date of Birth103 Carmalt Rd  
Address156075395  
Driver's License / Identification NumberHamden, CT 06517  
City, State & Zip Code203-623-2186  
Phone Number(s)

## GUILTY OR NO CONTEST PLEA

*Mag. Ct. Criminal Procedure Rule 10*

1. I am entering a guilty or no contest plea to the offense(s) of

*Trespass* Check if continued on an attached sheet?The magistrate has informed me that the offense(s) have the possible penalties of (*mandatory minimum penalty, if any, and maximum penalty*):*I. Fined not less than \$100 nor more than \$500.*

I understand the charge(s) and the penalties that the court may impose.

2. The magistrate has informed me that I have a right to be represented by an attorney at every stage of the proceeding.

If the statutory offense provides for a possible jail sentence and I meet the financial guidelines, an attorney will be appointed to represent me. I understand this right, and further understand that if I decide to represent myself, I cannot later claim that I was deprived of my right to be represented by an attorney.

## DEFENDANT MUST INITIAL THE APPROPRIATE LINE:

(a) I give up my right to have any attorney represent me.

b7 (b) I have an attorney who is present and is representing me.

(c) I want to hire an attorney to represent me.

(d) I want an attorney appointed to represent me.

NOTE: By initialling (c) or (d) above, I request that this plea proceeding be delayed to give me the opportunity to speak to an attorney.

3. The magistrate has informed me that I have a right to plead not guilty, or to maintain a plea of not guilty, if already made.

March 7, 2024

Date

Defendant's Signature

Melinda Tuhus  
JT Alcantar Esq

MCRPLGN: Guilty or No Contest Plea

Revised: 10/20/2020 T-WVSCA Approved: 10/20/2020 Docket Codes: MMPCN

Page 1 of 2

H99J

Case No. 23-M45M-00533

4. The magistrate has informed me that I have a right to a jury trial if the charged offense may be punishable by a jail sentence, and I have a right to a trial by a magistrate if the offense is not punishable by a jail sentence. At trial, I have the right to be represented by an attorney, the right to confront and cross-examine witnesses against me, the right not to be forced to incriminate myself, the right to call witnesses on my own behalf, and the right to testify on my own behalf or to be silent.

5. The magistrate has informed me that if I plead guilty or no contest, I give up my right to a trial.

6. The magistrate has informed me that if I plead guilty or no contest, the court may ask me questions while I am under oath about the offense(s) to which I plead; and if I answer these questions untruthfully under oath, my answers may later be used against me in a prosecution for false swearing.

7. The magistrate has informed me that once my guilty or no contest plea has been accepted, the magistrate may neither entertain nor grant a request to withdraw the plea.

8. The magistrate has informed me that once my guilty or no contest plea has been accepted, I will be convicted of the offense(s) identified above. A guilty or no contest plea is the equivalent of being convicted after a trial.

9. The magistrate has informed me that failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within the timeframes provided herein may result in the withholding of my West Virginia personal income tax refund pursuant to W.Va. Code § 50-3-2c and that a judgment lien may be placed against property I own or my account may be submitted to a state approved collection agency under the authority of W.Va. Code § 62-4-17.

10. I am entering this plea voluntarily and not as a result of force, threats, or promises apart from the promises contained in a plea agreement. I have informed the magistrate of any prior discussions between the prosecuting attorney and my attorney, or myself, that led to my willingness to plead guilty or no contest.

11. I (check one)  I am  am not entering this plea as part of a plea agreement.

12. I plead as follows (initial one) -  Guilty  No Contest -- to the following offense(s):

*Defendant will plea guilty to one count of simple trespass.*

1. Fine:\$100.00 Court Cost:\$186.48

Total:\$286.48

Check if continued on an attached sheet?

I understand all of the above.

March 7, 2024  
Date

Melinda Turke  
Defendant's Signature

WV A Parlo Esg #995

Counsel's Signature (if applicable)

I have addressed the defendant in open court and have informed him or her of the matters set out above. I find that the defendant understands these matters and that the above-stated waiver of rights and plea have been made knowingly and voluntarily by the defendant, and therefore, I accept the defendant's plea.

3/11/24  
Date

[Signature]  
Magistrate's Signature

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

State of West Virginia

v.

Case No. 23-M45M-00534Rose Zheng Abramoff  
Defendant (Full Name)XXX-XX-4328

Social Security Number

03 / 13 / 1987

Date of Birth

1811 Glenwood Ave  
Address148538662

Driver's License / Identification Number

Knoxville, TN 37927  
City, State & Zip Code

Phone Number(s)

**GUILTY OR NO CONTEST PLEA***Mug. Ct. Criminal Procedure Rule 10*

1. I am entering a guilty or no contest plea to the offense(s) of

*1. Trespass* Check if continued on an attached sheet?The magistrate has informed me that the offense(s) have the possible penalties of (*mandatory minimum penalty, if any, and maximum penalty*):*1. Fined not less than \$100 nor more than \$500*

I understand the charge(s) and the penalties that the court may impose.

2. The magistrate has informed me that I have a right to be represented by an attorney at every stage of the proceeding.

If the statutory offense provides for a possible jail sentence and I meet the financial guidelines, an attorney will be appointed to represent me. I understand this right, and further understand that if I decide to represent myself, I cannot later claim that I was deprived of my right to be represented by an attorney.

**DEFENDANT MUST INITIAL THE APPROPRIATE LINE:**

       (a) I give up my right to have any attorney represent me.  
 (b) I have an attorney who is present and is representing me.  
       (c) I want to hire an attorney to represent me.  
       (d) I want an attorney appointed to represent me.

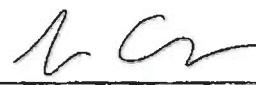
NOTE: By initialing (c) or (d) above, I request that this plea proceeding be delayed to give me the opportunity to speak to an attorney.

3. The magistrate has informed me that I have a right to plead not guilty, or to maintain a plea of not guilty, if already made.

March 6, 2024

Date

Defendant's Signature

  
 WVABento, Esq. Page 1 of 2  
 A995

MCRPLGN: Guilty or No Contest Plea

Revised: 10/20/2020  WVSCA Approved: 10/20/2020 Docket Code(s): MMPGN

Case No. 23-M45M-00534

4. The magistrate has informed me that I have a right to a jury trial if the charged offense may be punishable by a jail sentence, and I have a right to a trial by a magistrate if the offense is not punishable by a jail sentence. At trial, I have the right to be represented by an attorney, the right to confront and cross-examine witnesses against me, the right not to be forced to incriminate myself, the right to call witnesses on my own behalf, and the right to testify on my own behalf or to be silent.

5. The magistrate has informed me that if I plead guilty or no contest, I give up my right to a trial.

6. The magistrate has informed me that if I plead guilty or no contest, the court may ask me questions while I am under oath about the offense(s) to which I plead; and if I answer these questions untruthfully under oath, my answers may later be used against me in a prosecution for false swearing.

7. The magistrate has informed me that once my guilty or no contest plea has been accepted, the magistrate may neither entertain nor grant a request to withdraw the plea.

8. The magistrate has informed me that once my guilty or no contest plea has been accepted, I will be convicted of the offense(s) identified above. A guilty or no contest plea is the equivalent of being convicted after a trial.

9. The magistrate has informed me that failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within the timeframes provided herein may result in the withholding of my West Virginia personal income tax refund pursuant to W.Va. Code § 50-3-2c and that a judgment lien may be placed against property I own or my account may be submitted to a state approved collection agency under the authority of W.Va. Code § 62-4-17.

10. I am entering this plea voluntarily and not as a result of force, threats, or promises apart from the promises contained in a plea agreement. I have informed the magistrate of any prior discussions between the prosecuting attorney and my attorney, or myself, that led to my willingness to plead guilty or no contest.

11. I (check one)  am  am not entering this plea as part of a plea agreement.

12. I plead as follows (initial one) --  Guilty  No Contest -- to the following offense(s):

*Defendant will plea guilty to one count of simple Trespass.*

1. Fine:\$100 Court Cost:\$186.48  
 Total:\$286.48

 Check if continued on an attached sheet?

I understand all of the above.

March 6, 2024

Date

Defendant's Signature

*WVSPaulo2sq, #995*

Counsel's Signature (if applicable)

I have addressed the defendant in open court and have informed him or her of the matters set out above. I find that the defendant understands these matters and that the above-stated waiver of rights and plea have been made knowingly and voluntarily by the defendant, and therefore, I accept the defendant's plea.

*3/11/24*

Date

Magistrate's Signature

# EXHIBIT B

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

Case ID: 23-M45M-00533 (JJ)

State of West Virginia

v.

Melinda Tuhus  
103 Carmalt Rd.  
Hamden, CT 06517

SSN: XXXXX5833 DOB: 03/19/1948

DL Number: 156075395 DL State: CT

CRIMINAL JUDGMENT ORDER

Judgment of Dismissed - Plea Agreement for 1 count of 61-10-34: Critical infrastructure protection act.  
Violation date of 09/07/2023.

Per Motion from the State of WV; Dismiss with Prejudice.

Total Case balance of \$286.48

Hereby ORDERED and ADJUDGED on this the

11<sup>th</sup> day of March, 2024

Jack W. Jeffries, Magistrate

NOTICE: Failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within timeframes provided herein may result in the withholding of your West Virginia personal income tax refund pursuant to W.Va. Code §50-3-2c. Additionally, a judgment lien may be placed against property you own or your account may be submitted to a state approved collection agency under the authority of W. Va. Code §62-4-17.

Citations Only: By Telephone \_\_\_\_\_ In Person \_\_\_\_\_  
(Initials) (Initials)

CERTIFICATION BY CLERK (For Court Use Only) -----

23-M45M-00533 Chrg 3 - 61-10-34

I \_\_\_\_\_, hereby certify the above is a true and correct record of the Judgment in this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Seal

Magistrate Court Clerk

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

Case ID: 23-M45M-00533 (JJ)

State of West Virginia

v.

Melinda Tuhus

103 Carmalt Rd.  
Hamden, CT 06517

SSN: XXXXX5833 DOB: 03/19/1948

DL Number: 156075395 DL State: CT

CRIMINAL JUDGMENT ORDER

Judgment of Guilty Plea for 1 count of 61-3B-3(a): Trespass on property other than structure or conveyance.  
Violation date of 09/07/2023.

Original Charge: 61-03B-02: Trespass in structure or conveyance

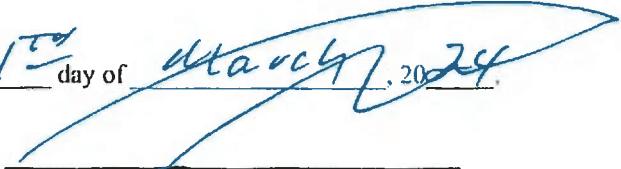
Assessed amounts for charge listed above are Fine: \$100.00 Costs and Fees: \$186.48 Restitution: \$0.00

Per Motion from the State of WV; Defendant will plea guilty to one count of Simple Trespass.

Total Case balance of \$286.48 due by 09/09/2024.

Hereby ORDERED and ADJUDGED on this the

11<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
Jack W. Jeffries, Magistrate

NOTICE: Failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within timeframes provided herein may result in the withholding of your West Virginia personal income tax refund pursuant to W.Va. Code §50-3-2c. Additionally, a judgment lien may be placed against property you own or your account may be submitted to a state approved collection agency under the authority of W. VA. Code §62-4-17.

Citations Only: By Telephone \_\_\_\_\_ In Person \_\_\_\_\_  
(Initials) \_\_\_\_\_ (Initials) \_\_\_\_\_

----- CERTIFICATION BY CLERK (For Court Use Only) -----

23-M45M-00533 Chrg. 2- 61-3B-3(a)

I \_\_\_\_\_, hereby certify the above is a true and correct record of the Judgment in  
this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
  
Seal \_\_\_\_\_

Magistrate Court Clerk

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

Case ID: 23-M45M-00533 (JJ)

**State of West Virginia**

v.

**Melinda Tuhus**

103 Carmalt Rd.

Hamden, CT 06517

SSN: XXXXX5833 DOB: 03/19/1948

DL Number: 156075395 DL State: CT

**CRIMINAL JUDGMENT ORDER**

Judgment of Dismissed - Plea Agreement for 1 count of 61-05-17(a): Obstructing officer; penalties; definitions. Violation date of 09/07/2023.

Per Motion from the State of WV; Dismiss with Prejudice.

Total Case balance of \$286.48

Hereby ORDERED and ADJUDGED on this the 11<sup>th</sup> day of March, 2024

  
Jack W. Jeffries, Magistrate

NOTICE: Failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within timeframes provided herein may result in the withholding of your West Virginia personal income tax refund pursuant to W.Va. Code §50-3-2c. Additionally, a judgment lien may be placed against property you own or your account may be submitted to a state approved collection agency under the authority of W. VA. Code §62-4-17.

Citations Only: By Telephone \_\_\_\_\_ In Person \_\_\_\_\_  
(Initials) \_\_\_\_\_ (Initials) \_\_\_\_\_

**CERTIFICATION BY CLERK (For Court Use Only)**

23-M45M-00533 Chg 1-61-05-17(a)

I \_\_\_\_\_ hereby certify the above is a true and correct record of the Judgment in this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
  
Seal \_\_\_\_\_

Magistrate Court Clerk

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

Case ID: 23-M45M-00534 (JJ)

State of West Virginia

v.

Rose Zheng Abramoff  
1811 E. Glenwood Ave  
Knoxville, TN 37927

SSN: XXXXX4328 DOB: 03/13/1987

DL Number: 148538662 DL State: TN

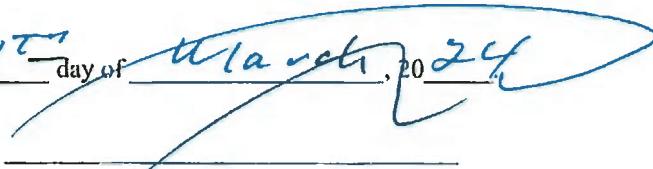
CRIMINAL JUDGMENT ORDER

Judgment of Dismissed - Plea Agreement for 1 count of 61-03-30(a): Unlawful injury to or destruction of property. Violation date of 09/07/2023.

Per Motion from the State of WV; Dismiss with Prejudice.

Total Case balance of \$286.48

Hereby ORDERED and ADJUDGED on this the 11<sup>th</sup> day of August, 2024

  
Jack W. Jeffries, Magistrate

NOTICE: Failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within timeframes provided herein may result in the withholding of your West Virginia personal income tax refund pursuant to W.Va. Code §50-3-2c. Additionally, a judgment lien may be placed against property you own or your account may be submitted to a state approved collection agency under the authority of W. VA. Code §62-4-17.

Citations Only: By Telephone \_\_\_\_\_ In Person \_\_\_\_\_  
(Initials) (Initials)

CERTIFICATION BY CLERK (For Court Use Only) -----

23-M45M-00534 Chrg 1 - 61-03-30(a)

I \_\_\_\_\_, hereby certify the above is a true and correct record of the Judgment in this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Seal

\_\_\_\_\_  
Magistrate Court Clerk

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

Case ID: 23-M45M-00534 (JJ)

**State of West Virginia**

v.

**Rose Zheng Abramoff**  
1811 E. Glenwood Ave  
Knoxville, TN 37927

SSN: XXXXX4328 DOB: 03/13/1987

DL Number: 148538662 DL State: TN

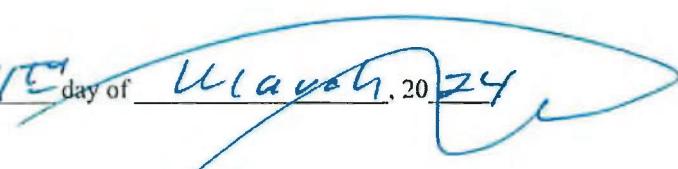
**CRIMINAL JUDGMENT ORDER**

Judgment of Dismissed - Plea Agreement for 1 count of 61-05-17(c): Making false statement to officer; penalties; definitions. Violation date of 09/07/2023.

Per Motion from the State of WV; Dismiss with Prejudice.

Total Case balance of \$286.48

Hereby ORDERED and ADJUDGED on this the 15 day of May, 2024

  
**Jack W. Jeffries, Magistrate**

NOTICE: Failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within timeframes provided herein may result in the withholding of your West Virginia personal income tax refund pursuant to W.Va. Code §50-3-2c. Additionally, a judgment lien may be placed against property you own or your account may be submitted to a state approved collection agency under the authority of W. VA. Code §62-4-17.

Citations Only: By Telephone \_\_\_\_\_ In Person \_\_\_\_\_  
(Initials) \_\_\_\_\_ (Initials) \_\_\_\_\_

**CERTIFICATION BY CLERK (For Court Use Only)**

23-M45M-00534 Chrg. 2 - 61-05-17(c)

I \_\_\_\_\_, hereby certify the above is a true and correct record of the Judgment in this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Seal \_\_\_\_\_

Magistrate Court Clerk

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

Case ID: 23-M45M-00534 (JJ)

State of West Virginia

v.

Rose Zheng Abramoff  
1811 E. Glenwood Ave  
Knoxville, TN 37927

SSN: XXXXX4328 DOB: 03/13/1987

DL Number: 148538662 DL State: TN

CRIMINAL JUDGMENT ORDER

Judgment of Guilty Plea for 1 count of 61-3B-3(a): Trespass on property other than structure or conveyance.  
Violation date of 09/07/2023.

Original Charge: 61-10-34(a)(1): Critical infrastructure--trespassing

Assessed amounts for charge listed above are Fine: \$100.00 Costs and Fees: \$186.48 Restitution: \$0.00

Per Motion from the State of WV; Defendant will plea guilty to one count of Simple Trespass.

Total Case balance of \$286.48 due by 09/09/2024.

Hereby ORDERED and ADJUDGED on this the

11<sup>th</sup> day of January, 2024.

Jack W. Jeffries, Magistrate

NOTICE: Failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within timeframes provided herein may result in the withholding of your West Virginia personal income tax refund pursuant to W.Va. Code §50-3-2c. Additionally, a judgment lien may be placed against property you own or your account may be submitted to a state approved collection agency under the authority of W. VA. Code §62-4-17.

Citations Only: By Telephone \_\_\_\_\_ In Person \_\_\_\_\_  
(Initials) \_\_\_\_\_ (Initials) \_\_\_\_\_

----- CERTIFICATION BY CLERK (For Court Use Only) -----

23-M45M-00534 Chrg. 3 - 61-3B-3(a)

I \_\_\_\_\_, hereby certify the above is a true and correct record of the Judgment in this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Seal

Magistrate Court Clerk

IN THE MAGISTRATE COURT OF SUMMERS COUNTY, WEST VIRGINIA

Case ID: 23-M4SM-00534 (JJ)

State of West Virginia

v.

Rose Zheng Abramoff  
1811 E. Glenwood Ave  
Knoxville, TN 37927

SSN: XXXXX4328 DOB: 03/13/1987

DL Number: 148538662 DL State: TN

CRIMINAL JUDGMENT ORDER

Judgment of Dismissed - Plea Agreement for 1 count of 61-10-34(c): Critical infrastructure--conspiracy.  
Violation date of 09/07/2023.

Per Motion from the State of WV; Dismiss with Prejudice.

Total Case balance of \$286.48

Hereby ORDERED and ADJUDGED on this the

11<sup>th</sup> day of October, 2024

Jack W. Jeffries, Magistrate

NOTICE: Failure to pay in full all costs, fines, fees, forfeitures, restitution or penalties within timeframes provided herein may result in the withholding of your West Virginia personal income tax refund pursuant to W.Va. Code §50-3-2c. Additionally, a judgment lien may be placed against property you own or your account may be submitted to a state approved collection agency under the authority of W. VA. Code §62-4-17.

Citations Only: By Telephone \_\_\_\_\_ In Person \_\_\_\_\_  
(Initials) (Initials)

CERTIFICATION BY CLERK (For Court Use Only) -----

23-M4SM-00534 Chrg 4 - 61-10-34(c)

I \_\_\_\_\_, hereby certify the above is a true and correct record of the Judgment in this proceeding filed in my office.

Given under my hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Seal

Magistrate Court Clerk